

**SIXTY-FIFTH LEGISLATIVE DAY
TUESDAY, MARCH 11, 2003**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Brandi Gill, Page.

Approval of Journal

March 11, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-fourth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that David Langhorst, State Representative, District 16, House Seat B, Ada County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Ms. Joan Wallace, of Boise, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Ms. Joan Wallace, Acting State Representative, District 16, House Seat B, Ada County, State of Idaho, for a term commencing on March 11, 2003, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 10th day of March in the year of our Lord two thousand and three, and of the Independence of the United States of America, the two hundred and twenty-seventh year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ BEN YSURSA

Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Ms. Wallace.

March 10, 2003

Mr. Speaker:

I return herewith enrolled **HJM 2**, **HCR 12**, and **HJM 3** which have been signed by the President.

WOOD, Secretary

Enrolled **HJM 2**, **HCR 12**, and **HJM 3** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 10, 2003

Mr. Speaker:

I transmit herewith **S 1128**, **S 1139**, **S 1060**, as amended, **S 1102**, as amended, **S 1010**, as amended, **S 1130**, as amended, **S 1108**, as amended, as amended, **S 1140**, **S 1141**, **S 1142**, and **S 1137** which have passed the Senate.

WOOD, Secretary

S 1128, **S 1139**, **S 1060**, as amended, **S 1102**, as amended, **S 1010**, as amended, **S 1130**, as amended, **S 1108**, as amended, as amended, **S 1140**, **S 1141**, **S 1142**, and **S 1137** were filed for first reading.

March 10, 2003

Mr. Speaker:

I return herewith **H 151**, **H 225**, **H 21**, **H 204**, **H 175**, **H 176**, **H 28**, **H 29**, **H 20**, **H 216**, **H 253**, **H 56**, and **H 124** which have passed the Senate.

WOOD, Secretary

H 151, **H 225**, **H 21**, **H 204**, **H 175**, **H 176**, **H 28**, **H 29**, **H 20**, **H 216**, **H 253**, **H 56**, and **H 124** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 10, 2003

Mr. Speaker:

I return herewith **H 113**, as amended in the Senate, and **H 208**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 113, as amended in the Senate, and **H 208**, as amended in the Senate, were ordered held at the Desk.

Mr. Campbell asked unanimous consent that the House concur in the Senate amendments to **H 113**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Stevenson asked unanimous consent that the House concur in the Senate amendments to **H 208**, as amended in the Senate. There being no objection, it was so ordered.

H 113, as amended in the Senate, and **H 208**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

SALI, Chairman

S 1068 was filed for second reading.

Report of Standing Committees

March 10, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 353**, **H 354**, **H 355**, **H 356**, **H 357**, **H 358**, and **H 359**.

FIELD(18), Chairman

H 356, **H 357**, and **H 358** were referred to the State Affairs Committee.

H 359 was referred to the Education Committee.

H 353, **H 354**, and **H 355** were filed for second reading.

March 11, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 22**, **H 162**, **H 164**, and **H 165** to the Governor at 11:45 a.m., as of this date, March 10, 2003.

FIELD(18), Chairman

March 11, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 23**, **HCR 18**, and **HCR 19** to the Secretary of State at 11:42 a.m., as of this date, March 10, 2003.

FIELD(18), Chairman

March 10, 2003

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 321** and recommend that it do pass.

BARRETT, Chairman

H 321 was filed for second reading.

March 10, 2003

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1078** and recommend that it do pass.

WOOD, Chairman

S 1078 was filed for second reading.

March 10, 2003

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1068** and recommend that it do pass.

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1073** and recommend it be referred to the Business Committee.

SALI, Chairman

S 1073 was referred to the Business Committee.

March 10, 2003

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENTAL AFFAIRS, report that we have had under consideration **H 228** and recommend that it do pass.

BARRACLOUGH, Chairman

H 228 was filed for second reading.

March 10, 2003

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENTAL AFFAIRS, report that we have had under consideration **H 198** and report it back with amendments attached to be placed on General Orders for consideration.

BARRACLOUGH, Chairman

H 198 was placed on General Orders for consideration.

March 11, 2003

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1061** and **S 1067** and recommend that they do pass.

DEAL, Chairman

S 1061 and **S 1067** were filed for second reading.

March 11, 2003

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 135** and recommend that it do pass.

CROW, Chairman

H 135 was filed for second reading.

March 11, 2003

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 319** and recommend that it do pass.

TILMAN, Chairman

H 319 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 360
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE EXECUTIVE OFFICE OF THE GOVERNOR FOR FISCAL YEAR 2004; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 361
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2004; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO THE GEM COMMUNITY IMPLEMENTATION GRANTS PROGRAM; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 362
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO TAXES; AMENDING SECTION 63-2552A, IDAHO CODE, TO PROVIDE THAT ELEVEN THOUSAND DOLLARS OF THE REVENUES COLLECTED FROM THE ADDITIONAL TAX IMPOSED UPON TOBACCO PRODUCTS SHALL BE APPROPRIATED TO THE DEPARTMENT OF HEALTH AND WELFARE TO BE USED FOR A ONE YEAR PERIOD TO FUND THE DEVELOPMENT OF A STATE SUICIDE PREVENTION PLAN.

**HOUSE BILL NO. 363
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE EMERGENCY COMMUNICATIONS ACT; AMENDING SECTION 31-4801, IDAHO CODE, TO PROVIDE FURTHER LEGISLATIVE PURPOSE; AMENDING SECTION 31-4802, IDAHO CODE, TO FURTHER DEFINE TERMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-4803, IDAHO CODE, TO PROVIDE FOR A VOTER APPROVED EMERGENCY COMMUNICATIONS FEE, TO PROVIDE WHEN NO FURTHER VOTE IS NECESSARY, TO PROVIDE FOR REVIEW OF THE FEE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4804, IDAHO CODE, TO PROVIDE THE AMOUNT OF THE EMERGENCY COMMUNICATIONS FEE, TO PROVIDE PROCEDURES AND TO PROVIDE FOR USE OF FEES; AMENDING CHAPTER 48, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-4804A, IDAHO CODE, TO PROVIDE FOR ESTABLISHMENT OF ENHANCED CONSOLIDATED EMERGENCY COMMUNICATIONS SYSTEMS; AMENDING SECTION

31-4805, IDAHO CODE, TO PROVIDE FOR A GOVERNING BOARD OR ADMINISTRATOR AFTER THE VOTER APPROVAL OF AN EMERGENCY COMMUNICATIONS FEE; AMENDING SECTION 31-4806, IDAHO CODE, TO PROVIDE FOR APPOINTMENT OF AN OFFICIAL OR ADMINISTRATOR TO MAINTAIN, OPERATE, ENHANCE AND GOVERN A CONSOLIDATED EMERGENCY COMMUNICATIONS SYSTEM; AMENDING SECTION 31-4812, IDAHO CODE, TO REVISE IMMUNITY AND CONDITIONS OF LIABILITY STANDARDS IN PROVIDING EMERGENCY COMMUNICATIONS SERVICES; AMENDING CHAPTER 48, TITLE 31, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 31-4813 AND 31-4814, IDAHO CODE, TO PROVIDE APPLICATION TO PREPAID CALLING CARDS, AND TO PROVIDE FOR CONFIDENTIAL AND PROPRIETARY DATA.

H 360, H 361, H 362, and H 363 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1128, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

S 1139, by State Affairs Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1060, as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1102, as amended, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

S 1010, as amended, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1130, as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

S 1108, as amended, as amended, by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

S 1140, S 1141, and S 1142, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

S 1137, by State Affairs Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 347, H 348, H 349, H 350, H 351, and H 352, by Appropriations Committee, were read the second time by title and filed for third reading.

H 323, by State Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

S 1041 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Douglas to open debate.

The question being, "Shall **S 1041** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Barrett, Kulczyk, Moyle, Nielsen, Raybould. Total -- 5.

Absent and excused -- Schaefer. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1041** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney asked unanimous consent that **S 1042** and **H 252** retain their places on the Third Reading Calendar until Thursday, March 13, 2003. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that **H 294** retain its place on the Third Reading Calendar until Tuesday, March 18, 2003. There being no objection, it was so ordered.

H 312 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smylie to open debate.

The question being, "Shall **H 312** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell,

Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Schaefer. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 312** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 313 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smylie to open debate.

The question being, "Shall **H 313** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Crow. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 313** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 314 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **H 314** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk,

Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Crow. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 314** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 301 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **H 301** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Lake, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- Barrett, Kulczyk, Langford. Total -- 3.

Absent and excused -- Kellogg. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 301** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 330 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **H 330** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch,

Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- Langford. Total -- 1.

Absent and excused -- Deal. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 330** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 136 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 136** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Bieter, Tilman. Total -- 2.

Absent and excused -- Schaefer. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 136** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1056 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sayler to open debate.

The question being, "Shall **S 1056** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Moyle, Schaefer. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1056** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 218 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 218** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bell, Bieter, Black, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Lake, Langhorst(Wallace), Martinez, Meyer, Miller, Mitchell, Naccarato, Nielsen, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 60.

NAYS -- Bedke, Block, Eberle, Harwood, Kulczyk, Langford, McGeachin, McKague, Moyle, Raybould. Total -- 10.

Total -- 70.

Whereupon the Speaker declared **H 218** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1004 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **S 1004** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Black, Crow, Cuddy. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1004** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1005 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **S 1005** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Cuddy. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1005** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1006 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **S 1006** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Crow, Deal, Gagner. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1006** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1007 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bieter to open debate.

The question being, "Shall **S 1007** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Gagner. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1007** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1008 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe to open debate.

The question being, "Shall **S 1008** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Gagner. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1008** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1019 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **S 1019** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- Kulczyk, Sali. Total -- 2.

Absent and excused -- Crow, Harwood. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1019** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 281 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal and Mr. Black to open debate.

At this time, Mr. Denney took the Chair.

The question being, "Shall **H 281** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Lake, Langhorst(Wallace), Martinez, Meyer, Miller, Mitchell, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 51.

NAYS -- Barrett, Bedke, Bell, Clark, Eberle, Harwood, Kulczyk, Langford, McGeachin, McKague, Moyle, Roberts, Sali, Tilman, Wood. Total -- 15.

Absent and excused -- Crow, Eskridge, Smith(24), Mr. Speaker. Total -- 4.

Paired Vote:

AYE -- Block. NAY -- Tilman.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 281** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that the House recess until 1:30 p.m.
Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:30 p.m.

RECESS

Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused -- Wood. Total -- 1.
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Smylie asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

H 306 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

The question being, "Shall **H 306** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Black, Wood. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **H 306** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 305 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

The question being, "Shall **H 305** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- Barrett, Eberle, Harwood, Kulczyk, Sali. Total -- 5.

Absent and excused -- Black, Wood. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **H 305** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 232, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bieter to open debate.

The question being, "Shall **H 232**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Field(18), Wood. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **H 232**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 269, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 269**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, Meyer, Miller, Mitchell, Naccarato, Ridinger, Ring, Ringo, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 57.

NAYS -- Barrett, Clark, Eberle, Kulczyk, McKague, Moyle, Nielsen, Raybould, Roberts, Sali, Smith(24). Total -- 11.

Absent and excused -- Field(18), Wood. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 269**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 13, as amended, was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali and Mrs. Garrett to open debate.

The question being, "Shall **HCR 13**, as amended, be adopted?"

Whereupon the Speaker declared **HCR 13**, as amended, adopted by voice vote and ordered the resolution transmitted to the Senate.

HCR 21, as amended, as amended, was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner and Mr. Sali to open debate.

The question being, "Shall **HCR 21**, as amended, as amended, be adopted?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ridinger, Ring, Roberts, Robison, Rydalch, Sali, Schaefer, Shepherd, Shirley, Skippen, Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 56.

NAYS -- Bieter, Boe, Douglas, Henbest, Jaquet, Langhorst(Wallace), Martinez, Mitchell, Naccarato, Ringo, Sayler, Smith(30), Smith(24). Total -- 13.

Absent and excused -- Wood. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **HCR 21**, as amended, as amended, adopted and ordered the resolution transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

March 11, 2003

Mr. Speaker:

I transmit herewith enrolled **S 1143** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1143** and, when so signed, ordered it returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10:45 a.m., Wednesday, March 12, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:24 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk